

UNITED STATES DISTRICT COURT

for the
Southern District of TexasUnited States Courts
Southern District of Texas
FILED

August 28, 2018

United States of America
v.(1) GERALD SIGALLA FOMENKY, and
(2) CLEMENT AYUK TABI, and
(3) O FATIMA-MBO HOUENOU

Case No.

David J. Bradley, Clerk of Court

4:18mj1386

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 01/01/2016 - 08/27/2018 in the county of Harris in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. Sec. 1543

Passport Fraud

This criminal complaint is based on these facts:

See Attached Affidavit of US Postal Inspector Matthew S. Boyden

☒ Continued on the attached sheet.

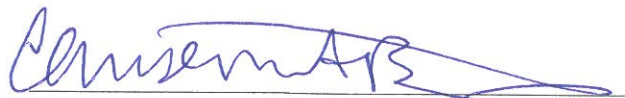
Complainant's signature

U.S. Postal Inspector Matthew S. Boyden

Printed name and title

Sworn to before me and signed in my presence.

Date:

August 28, 2018

Judge's signature

City and state: Houston, Texas

U.S. Magistrate Judge Christina A. Bryan

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

1. Affiant, United States Postal Inspector Matthew S. Boyden, has been employed by the U.S. Postal Inspection Service since January 2000. Affiant is currently assigned to the Major Fraud team in Houston, Texas. Prior to that, Affiant served as a lieutenant of police for a municipal police department in Texas. Affiant has served in the U.S. Air Force as a Law Enforcement Specialist and criminal investigator for the Air Force Office of Special Investigations. Affiant has received specialized training in numerous Postal crimes, but primarily those involving "identity theft" and mail fraud related offenses. Affiant has attended training in the areas of check fraud, credit card fraud, and identity takeover schemes. Affiant has investigated hundreds of cases involving fraud, identity theft, and related "white collar" types of offenses. Affiant is authorized to obtain and execute Federal Arrest and Search Warrants. This Affidavit is made in support of a criminal complaint filed against Cameroonian Nationals **GERALD SIGALLA FOMENKY** and **CLEMENT AYUK TABI**, and Gabonian National **O FATIMA-MBO HOUENOU**.
2. The information set forth in this Affidavit is based upon your Affiant's personal knowledge and/or information provided to Affiant by other law enforcement agents and officers, witnesses, bank investigators, and cooperating individuals Affiant believes to be reliable and credible. Because this Affidavit is being submitted for the limited purpose of supporting a criminal complaint, Affiant has not included each and every fact concerning this investigation. Affiant has set forth only the facts believed to establish probable cause that Cameroonian Nationals **GERALD SIGALLA FOMENKY** and **CLEMENT AYUK TABI**, and Gabonian National **O FATIMA-MBO HOUENOU** have committed violations of federal law.
3. For the past two years, Affiant has been investigating numerous Business E-mail Compromise (BEC) complaints. The FBI defines BEC fraud as a sophisticated fraud scam targeting businesses and individuals that regularly perform wire transfer payments. The scam is carried out by compromising legitimate business e-mail accounts through social engineering or computer intrusion techniques to conduct unauthorized transfers of funds.

Most victims report using wire transfers as a common method of transferring funds for business purposes; however, some victims report using checks as a common method of payment. The fraudsters will use the method most commonly associated with their victim's normal business practices. Affiant has identified numerous bank accounts opened with counterfeit passports in and around Houston that are being funded with fraudulent BEC wire transfers. All of these wires involve the use of interstate wire communications facilities. Several of the fraudulent accounts are also used to receive funds from victims of other types of fraud (romance fraud, check fraud, internet sales fraud, and check fraud). The counterfeit passports are used in an attempt to conceal the true identity of the individual opening the bank accounts and receiving money stolen from victims.

4. Affiant spoke with First National Bank Texas fraud investigator Renee Thilman and learned that on or about 12/06/17, an unidentified individual used a counterfeit Republic of Cameroon passport #01375033 in the name JAMES CAMRON to open bank account 278457. The individual listed an address of 16431 Sedona Woods Lane, Houston, Texas and telephone number 281-854-9590.
5. Affiant spoke with First National Bank Texas fraud investigator Renee Thilman and learned that on or about 08/08/18, an unidentified individual used a counterfeit Sierra Leone passport #ER063116 in the name ZAINAB SHUMAN to open bank account 299184. The individual listed an address of 16431 Sedona Woods Lane, Houston, Texas and telephone number 407-437-3960.
6. Affiant spoke with First National Bank Texas fraud investigator Renee Thilman and learned that on or about 08/09/18, an unidentified individual used a counterfeit Sierra Leone passport #ER021706 in the name ROGER ENONGENE to open bank account 474693793. The individual listed an address of 16431 Sedona Woods Lane, Houston, Texas and telephone number 561-403-9835.
7. Renee Thilman provided Affiant with copies of the three passports, as well as bank surveillance photos of the individuals presenting the passports. Affiant reviewed information

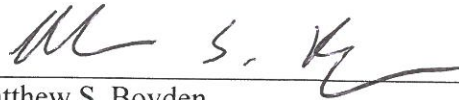
from the bank records and used other investigative techniques in an effort to properly identify the people. Affiant was unable to locate or identify the individuals.

8. Affiant provided Special Agent Katherine Langston, Department of State, Diplomatic Security Service, with copies of a copy of the JAMES CAMRON, ZAINAB SHUMAN, and ROGER ENONGENE passports. Diplomatic Security agents in the United States and overseas investigate passport and visa fraud. As the Department of State's law enforcement and security arm, the Bureau of Diplomatic Security is charged with ensuring the integrity of U.S. travel documents. SA Langston reviewed copies of the passports and advised Affiant they were not legitimate or valid passports. There are no records in any United States database regarding these passports, a U.S. visa issued for these names/passports, and no entry/exit records into the United States.
9. Because all three accounts appeared to be linked by the same address, Affiant believed they were all related. On 08/17/18, Affiant obtained tracking warrants from US Magistrate Judge Nancy K. Johnson authorizing the tracking of 281-854-9590, 407-437-3960, and 561-403-9835.
10. During the week on August 20-24, 2018, Special Agents with the U.S. Secret Service located the cellular device linked to the ROGER ENONGENE account at 16431 Sedona Woods, Houston, Texas. The device linked to the ZAINAB SHUMAN account was located at 3015 E. Park at Fairdale, Houston, Texas. And the device linked to the JAMES CAMRON account was located in the possession of **CLEMENT AYUK TABI**.
11. On 08/25/18, **CLEMENT AYUK TABI** was detained after being found in possession of the cellular device linked to the JAMES CAMRON account. He was interviewed and admitted using the fraudulent passport to open bank accounts. He voluntarily turned over the fraudulent passport to Affiant. He also stated he was living with "SIGALLA" at the 16431 Sedona Woods address and it was "SIGALLA" that introduced him to the scheme. He also provided Affiant with a photograph from his phone of "SIGALLA". He stated that "SIGALLA" was the person in charge and was in possession of many fraudulent passports.

He stated that "SIGALLA" drives a yellow Camaro. He also identified O FATIMA-MBO HOUENOU as a friend of "SIGALLAS".

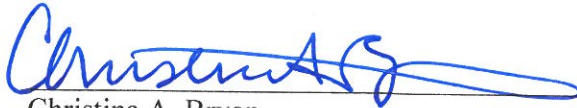
12. During surveillance of 16431 Sedona Woods, Affiant observed a yellow Camaro parked in the driveway. The vehicle was not registered to a true name. On 08/27/18, Affiant was conducting surveillance at 16431 Sedona Woods when a 2011 Porsche pulled into the driveway. Affiant observed it was the same person on the counterfeit ROGER ENONGENE passport. A short time later the person left the residence and was stopped for several traffic violations. Affiant asked the driver for his license and he handed Affiant the fraudulent ROGER ENONGENE passport. He was taken into custody. He identified himself as **SIGALLA FOMENKY**. He was also in possession of numerous other bank cards in different names, including cards in the name ZAINAB SHUMAN. He elected to not answer questions. ICE was notified and placed a detainer on **FOMENKY**. During Affiant's investigation, additional fraudulent passports with **FOMENKY's** picture have been identified.
13. Affiant obtained and reviewed call detail records and other law enforcement databases and learned that **O FATIMA-MBO HOUENOU** lives at 3015 E. Park at Fairdale, Houston, Texas. The device linked to the ZAINAB SHUMAN account was located there. Additional fraud accounts linked to **FOMENKY** also listed her address. Affiant obtained and reviewed photographs of **HOUENOU** and she is clearly the same person using the ZAINAB SHUMAN passport. In addition, transfers between the ZAINAB SHUMAN were made to the ROGER ENONGENE and other fraudulent accounts opened by **FOMENKY**. **HOUENOU** is currently out on bond in Harris County for a felony charge of tampering with a governmental record after using a fraudulent license to try and rent an apartment.
14. Affiant has not obtained or reviewed all of the bank records associated with all the fraudulent accounts. However, Affiant has reviewed financial reporting databases which outline the account activity of several of the fraudulent accounts. At this point Affiant has identified close to \$500,000.00 in deposits stolen from victims that were made to the aforementioned fraudulent accounts. Additional losses are expected.

15. Based upon the above, the undersigned believes there is probable cause to believe that Cameroonian Nationals **GERALD SIGALLA FOMENKY** and **CLEMENT AYUK TABI**, and Gabonian National **O FATIMA-MBO HOUENOU** have committed crimes in violation of Title 18, United States Code, Sections 1543 (Passport Fraud).



Matthew S. Boyden
United States Postal Inspector

Sworn and Subscribed to me this 28th day of August, 2018, and I find probable cause.



Christina A. Bryan
United States Magistrate Judge
Southern District of Texas